

READ AT ONCE

**COURT-DIRECTED NOTICE
REGARDING ISSUANCE OF SUBPOENA
SEEKING DISCLOSURE OF YOUR IDENTITY**

A legal document called a subpoena has been sent to your Internet Service Provider, Midcontinent Communications, requiring the disclosure of your name, address, and other information. The subpoena was issued pursuant to a Court Order in a lawsuit pending in the United States District Court for the District of Columbia.

The plaintiff in that lawsuit alleges that various people have infringed its copyrights by illegally downloading and/or distributing the movie: "The Hurt Locker." However, the plaintiff does not know the actual names or addresses of these people – only the Internet Protocol address ("IP address") of the computer associated with that alleged activity.

Accordingly, the plaintiff has filed its lawsuit against anonymous "Doe" defendants and has issued subpoenas to various Internet Service Providers to determine the identity of these people. If you are receiving this notice, that means that the plaintiff has asked Midcontinent Communications to disclose your identification information to the plaintiff, including your name, current (and permanent) addresses, telephone numbers, e-mail addresses, and Media Access Control addresses. Enclosed is a copy of the subpoena seeking this information and the exhibit page containing the IP address that has been associated with your computer's modem and showing the date and time your computer's modem was alleged to have used the Internet to download or upload the movie, "The Hurt Locker."

This is a civil lawsuit, not a criminal case. You have not been charged with any crime. If the plaintiff receives your information from Midcontinent Communications, you will likely be added as a named defendant to the lawsuit described above.

**INFORMATION ABOUT YOU HAS NOT YET BEEN DISCLOSED,
BUT IT WILL BE DISCLOSED IN 30 DAYS IF YOU DO NOT
CHALLENGE THE SUBPOENA.**

Your identifying information has not yet been disclosed to the plaintiff.

If you want to prevent the disclosure of your information, you have 30 days from the date of this notice to file a motion to quash or vacate the subpoena. If you need more than 30 days to file such a motion or find a lawyer to assist you, you can file a motion asking for an extension of time.

If you file a motion in court, you must immediately notify Midcontinent Communications so that it knows to not disclose the information until and unless the court makes a decision on your motion.

If you file a motion in court and notify Midcontinent Communications, Midcontinent Communications will not disclose your information until directed by the court.

IF YOU DO NOT FILE A MOTION IN COURT, THERE IS NO NEED TO CONTACT MIDCONTINENT COMMUNICATIONS.

If you do nothing, then after 30 days, Midcontinent Communications is required by court order to send the plaintiff your name, address, telephone number, e-mail address, and your computer modem's Media Access Control address.

This notice is intended to inform you of some of your rights and options. It does not provide legal advice. We cannot advise you about what grounds exist, if any, to challenge the plaintiff's subpoena.

You may wish to obtain an attorney to advise you on these issues or to help you take action. If you would like legal advice, you should consult with an attorney. If you do not have an attorney and would like help finding a lawyer, the American Bar Association's attorney locator may be found on the Internet at <http://www.abanet.org/lawyerlocator/searchlawyer.html>. Additionally, you could contact the South Dakota State Bar to request a referral to an attorney by calling the telephone number 1-888-952-2333.

The Electronic Frontier Foundation is an organization that seeks to protect the rights of Internet users. They have created a website that lists attorneys who have volunteered to consult with people in your situation and contains further information about similar lawsuits at <https://www.eff.org/issues/file-sharing/subpoena-defense>.

OTHER ISSUES REGARDING THE LAWSUIT

To maintain a lawsuit against you in the District Court for the District of Columbia, the court must have personal jurisdiction over you. You may be able to challenge the District Court for the District of Columbia's personal jurisdiction over you. However, please note that even if that challenge is successful, the plaintiff can still file against you in the state in which a court has personal jurisdiction over you.

If you are interested in discussing this matter with the plaintiff's attorneys, you may contact them by telephone at (877) 223-7212, by fax at (866) 874-5101, or by e-mail to subpoena@dwglegal.com. Please understand that these lawyers represent the company that brought the lawsuit and wishes to sue you. They can speak with you about settling the lawsuit, if you wish to consider that. You should be aware that if you contact them, they may learn your identity. Further, anything you say to them can later be used against you in court.

You should not call the court.

Again, you may wish to retain an attorney to discuss these issues and your options, as Midcontinent Communications cannot give you legal advice.